

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAN A. PHILLIPS ,

Petitioner,

v.

JASON BENNETT ,

Respondent.

CASE NO. 3:23-cv-05133-DGE


ORDER ADOPTING REPORT AND
RECOMMENDATION (DKT. NO. 6)

Having reviewed the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, Petitioner's objections (Dkt. No. 7), and having conducted a de novo review of the record, the Court finds and ORDERS:

1. The Court ADOPTS the Report and Recommendation (Dkt. No. 6). Petitioner does not appear to raise any new evidence or argument in his objections that addresses Judge Tsuchida's statute of limitations analysis and the Court agrees Petitioner's claims are time barred.
2. The case is DISMISSED with prejudice.
3. Issuance of a certificate of appealability is DENIED.

1 4. The Clerk shall provide Petitioner a copy of this Order.

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3 Dated this 8th day of June, 2023.

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8 David G. Estudillo
9 United States District Judge
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